



March 21, 2003

ENGROSSED SENATE BILL No. 215

DIGEST OF SB 215 (Updated March 19, 2003 3:21 PM - DI 96)

Citations Affected: IC 8-23.

Synopsis: Off duty police officers patrolling highway work zones. Removes the limitation on hours worked by off duty police officers patrolling highway work zones.

Effective: Upon passage.

Wyss, Craycraft
(HOUSE SPONSORS — RESKE, DUNCAN)

January 9, 2003, read first time and referred to Committee on Transportation and Homeland Security.
January 21, 2003, reported favorably — Do Pass.
January 27, 2003, read second time, ordered engrossed.
January 28, 2003, engrossed.
January 30, 2003, read third time, passed. Yeas 50, nays 0.

HOUSE ACTION

March 4, 2003, read first time and referred to Committee on Roads and Transportation.
March 20, 2003, amended, reported — Do Pass.

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ES 215—LS 6639/DI 108+



March 21, 2003

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

ENGROSSED SENATE BILL No. 215

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 8-23-2-15 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 15. (a) As used in
3 this section, "highway work zone" means an area where:

4 (1) highway construction, reconstruction, or maintenance is
5 actually occurring; and

6 (2) notice is posted in accordance with the:

7 (A) Indiana Manual on Uniform Traffic Control Devices; or

8 (B) Indiana Work Site Traffic Control Manual;

9 to indicate that highway construction, reconstruction, or maintenance
10 is occurring.

11 (b) The department may contract with the state police department
12 or local law enforcement agencies to hire off duty police officers to
13 patrol highway work zones. The duties of a police officer who is hired
14 under this section:

15 (1) are limited to those duties that the police officer normally
16 performs while on active duty; and

17 (2) do not include the duties of a:



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1 (A) flagman; or
2 (B) security officer.

3 (c) The department shall use the money transferred to the
4 department under IC 33-19-9-4(6) to pay the costs of hiring off duty
5 police officers to perform the duties described in subsection (b).

6 (d) All money transferred to the department under IC 33-19-9-4(6)
7 is annually appropriated to pay off duty police officers to perform the
8 duties described in subsection (b).

9 (e) An off duty police officer hired to patrol highway work zones
10 under subsection (b) may engage in not more than sixteen (16) hours
11 of off duty employment under subsection (b) during a calendar week
12 during which the police officer is regularly scheduled for duty.

13 SECTION 2. An emergency is declared for this act.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Transportation and Homeland Security, to which was referred Senate Bill No. 215, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 215 as introduced.)

WYSS, Chairperson

Committee Vote: Yeas 9, Nays 0.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Bill 215, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Replace the effective date in SECTION 1 with "[EFFECTIVE UPON PASSAGE]".

Page 2, after line 12, begin a new paragraph and insert:

"SECTION 2. **An emergency is declared for this act.**".

and when so amended that said bill do pass.

(Reference is to SB 215 as printed January 22, 2003.)

RESKE, Chair

Committee Vote: yeas 12, nays 1.

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